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*Attorneys for Irving H. Picard, Trustee
for the Substantively Consolidated SIPA Liquidation
of Bernard L. Madoff Investment Securities LLC
and the Estate of Bernard L. Madoff*

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

SECURITIES INVESTOR PROTECTION
CORPORATION,

Plaintiff,

v.

BERNARD L. MADOFF INVESTMENT
SECURITIES LLC,

Defendant.

In re:

BERNARD L. MADOFF,

Debtor.

IRVING H. PICARD, Trustee for the Liquidation
of Bernard L. Madoff Investment Securities LLC,

Plaintiff,

v.

ALVIN E. SHULMAN POUROVER TRUST;
KEVIN SHULMAN, in his capacity as Co-Trustee
of the Alvin E. Shulman Pourover Trust; and
CARAN RUGA ROSS, in her capacity as Co-
Trustee of the Alvin E. Shulman Pourover Trust,

Defendants.

Adv. Pro. No. 08-01789 (SMB)

SIPA LIQUIDATION

(Substantively Consolidated)

Adv. Pro. No. 10-04852 (SMB)

**STIPULATION AND ORDER FOR VOLUNTARY DISMISSAL
OF ADVERSARY PROCEEDING WITH PREJUDICE**

Irving H. Picard (the “Trustee”), as trustee for the liquidation of the business of Bernard L. Madoff Investment Securities LLC (“BLMIS”) under the Securities Investor Protection Act, 15 U.S.C. §§ 78aaa, *et seq.* (“SIPA”), and the substantively consolidated estate of Bernard L. Madoff individually (“Madoff”), by and through their counsel, Baker & Hostetler LLP, and Alvin E. Shulman Pourover Trust (“Trust”), Kevin Shulman, in his capacity as Co-Trustee of the Trust, and Caran Ruga Ross, in her capacity as Co-Trustee of the Trust (“Defendants”), by and through their counsel, Bruce Katzen of Kluger, Kaplan, Silverman, Katzen & Levine, P.L. (collectively, the “Parties”), hereby stipulate and agree to the following:

1. On December 2, 2010, the Trustee filed and served the Complaint against the Trust and Alvin E. Shulman (“Shulman”), individually and in his capacity as Trustee for the Trust.
2. On September 14, 2015, the Trust and Shulman filed and served their Answer to the Complaint on the Trustee.
3. Shulman died on February 26, 2016.
4. On July 12, 2016, a Stipulation and Order was filed substituting Defendants for Shulman, deceased.
5. Pursuant to the Settlement Procedures Order, entered by this Court on November 12, 2010 [Dkt. No. 3181], the Parties entered into a Settlement Agreement and Release on August 30, 2017.
6. In accordance with Federal Rule of Bankruptcy Procedure 7041(a)(1)(ii), and Federal Rule of Civil Procedure 41(a)(1), the Parties hereby stipulate to a dismissal with prejudice of the Trustee’s claims against Defendants in the above-captioned adversary proceeding and dismissal of the adversary proceeding with prejudice.

7. The provisions of this Stipulation shall be binding upon and shall inure to the benefit of the Parties and their respective successors and assigns and upon all creditors and parties of interest.

8. This Stipulation may be signed by the Parties in any number of counterparts, each of which when so signed shall be an original, but all of which shall together constitute one and the same instrument. A signed facsimile, photostatic or electronic copy of this Stipulation shall be deemed an original.

9. The Bankruptcy Court shall retain jurisdiction over this Stipulation.

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Date: September 29, 2017
New York, New York

BAKER & HOSTETLER LLP

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Of Counsel:

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Dated: September 29, 2017
New York, New York

**KLUGER, KAPLAN, SILVERMAN,
KATZEN & LEVINE, P.L.**

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capacity as Co-Trustee of the Alvin E.
Shulman Pourover Trust, and Caran Ruga
Ross, in her capacity as Co-Trustee of the
Alvin E. Shulman Pourover Trust*

SO ORDERED:

/s/ STUART M. BERNSTEIN
Hon. Stuart M. Bernstein
United States Bankruptcy Judge